

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 2582-01
Bill No.: SB 820
Subject: Drunk Driving/Boating; Law Enforcement Officers and Agencies; Motor Vehicles; Highway Patrol
Type: Original
Date: February 19, 2004

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Highway	(\$2,716)		
Total Estimated Net Effect on <u>Other</u> State Funds	(\$2,716)	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 5 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2005	FY 2006	FY 2007
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety** - divisions of the **Missouri State Highway Patrol** and the **Missouri State Water Patrol**, **Office of State Public Defender** and the **Jefferson City Police Department** each assume the proposed legislation would have no fiscal impact on their agencies.

In response to a similar proposal from last year, officials from the **Columbia Police Department** and the **St. Louis Metropolitan Police Department** each assumed the proposed legislation would have no fiscal impact on their respective agencies.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Office of Prosecution Services** assume the proposed legislation would have no fiscal impact on prosecutors.

ASSUMPTION (continued)

Officials from the **Department of Revenue (DOR)** assume the proposal requires law enforcement officers to provide additional information relative to admissibility of the results of a chemical test that is completed in order to determine probable cause of a charge of driving while intoxicated. This information will be required to be included on the alcohol influence report (AIR) form that is submitted to the Department of Revenue for alcohol related driving violations. This will require several modifications to the AIR form.

The new information that the officer must provide an individual requested to complete a chemical test to determine probable cause of driving while intoxicated must be included in the AIR form. The DOR currently has 79,000 forms in current stock with a monthly usage of 5,400. Assuming this usage rate, there will be 35,800 forms that will require document destruction at the end of August 2004. DOR estimates the form destruction costs to be \$716. Since the new form will require a special mailing to all law enforcement agencies prior to the effective date of the legislation, the Department of Revenue will incur approximately \$2,000 in postage costs in FY 05. DOR estimates the total cost of the proposal to be \$2,716 in FY 05.

<u>FISCAL IMPACT - State Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
HIGHWAY FUND			
<u>Costs</u> – Department of Revenue			
Form destruction	(\$716)	\$0	\$0
Postage	<u>(\$2,000)</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON HIGHWAY FUND	<u>(\$2,716)</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2005 (10 Mo.)	FY 2006	FY 2007
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

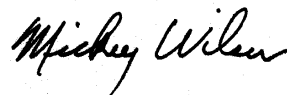
The proposed legislation would require law enforcement officers, prior to administering a portable chemical test, to inform the person: (1) why the officer is requesting the person to submit to the test; (2) that the test is admissible to establish probable cause to arrest and as exculpatory evidence, but that the test is not admissible as evidence of a blood alcohol content; and (3) that if the test establishes probable cause for an arrest, the person will be required to submit to another test authorized by Section 577.020, RSMo, or have his or her license revoked.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Department of Revenue
Department of Public Safety
 – Missouri State Water Patrol
 – Missouri State Highway Patrol
Office of Prosecution Services
Office of State Public Defender
Jefferson City Police Department
St. Louis Metropolitan Police Department
Columbia Police Department

NOT RESPONDING: Greene County Sheriff, Kansas City Police Department, Jackson County Sheriff, St. Louis County Police Department.



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Director

L.R. No. 2582-01
Bill No. SB 820
Page 5 of 5
February 19, 2004

February 19, 2004

RAS:LR:OD (12/02)